

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DAVID A. FARMER,

Case No. 3:15-cv-389

Petitioner,

v.

Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

JASON BUNTING, Warden,
Marion Correctional Institution,

Respondent.

**ENTRY AND ORDER OVERRULING OBJECTIONS (DOCS. 4, 7);
ADOPTING REPORT AND RECOMMENDATIONS (DOC. 3) AND
SUPPLEMENTAL REPORT AND RECOMMENDATIONS (DOC. 6); AND
TERMINATING THIS CASE**

This habeas corpus case is before the Court on the Objections (Docs. 4, 7) filed by Petitioner David A. Farmer (“Farmer”) to the Report and Recommendations (“Report”) (Doc. 3) and Supplemental Report and Recommendations (“Supplemental Report”) (Doc. 6). In both the Report and Supplemental Report, Magistrate Judge Michael R. Merz recommended that the Court dismiss Farmer’s Petition for Habeas Corpus (Doc. 2) with prejudice.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Farmer’s Objections (Doc. 4) to the Report (Doc. 3) and Objections (Doc. 7) to the Supplemental Report (Doc. 6) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report (Doc. 3) and Supplemental Report (Doc. 6) in their entirety and rules as follows:

- The Court **DISMISSES** the Petition for Writ of Habeas Corpus (Doc. 2) with prejudice;
- As reasonable jurists would not disagree with this conclusion, Farmer is

DENIED a certificate of appealability;

- The Court further **CERTIFIES** to the Sixth Circuit that any appeal would be objectively frivolous and therefore Farmer should not be permitted to proceed *in forma pauperis*; and
- The Clerk is **ORDERED** to terminate this case on the docket of this Court.

DONE and **ORDERED** in Dayton, Ohio, this Tuesday, December 22, 2015.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE